



## KNIGHTDALE BOARD OF ADJUSTMENT MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

**August 8, 2016**

The Knightdale Land Use Review Board Committee met at 7:00 p.m. in the Council Chamber Room of Town Hall.

QUASI-JUDICIAL LURB MEMBERS PRESENT:	Rita Blackmon, Ben McDonald, Michael Blake, Alice Alexander
QUASI-JUDICIAL ALTERNATE MEMBERS PRESENT:	Chuck Piratzky, Randy Jones, George Hess
ABSENT:	Stephen Morgan
Town Council Members Present:	Councilor Tripp
Attorneys Present:	David York and Katye Jobe, Town Attorneys; John Silverstein, Board Attorney
Staff Members Present:	Chris Hills, Development Services Director; Jennifer Currin, Assistant Development Services Director; Jason Brown, Senior Planner; Matthew Christian, Planner; Donna Tierney, Planning Technician

Meeting called to order by Chairman Hess at 7:05 p.m.

### ITEM I. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES VAR-4-16 StoneRiver

Chairman Hess announced that in Mr. Morgan's absence, an in-town quasi-judicial alternate would need to be selected.

**...Motion by Vice Chairman Piratzky to nominate Randy Jones as the fifth quasi-judicial member in Stephen Morgan's absence. Motion seconded by Mr. McDonald and carried unanimously.**

Board Attorney John Silverstein disclosed that his firm has done work for Terramor Homes, but he personally has not.

Planner Matthew Christian explained to the Board that Pablo Reiter applied for a variance from Chapters 9.5(E) and 9.5(G) of the Town of Knightdale Unified Development Ordinance. The property is a 164± acre undeveloped tract of land located south of I-495, east of the Neuse River, and adjacent to the existing Cheswick subdivision

and identified by the Wake County PIN 1733-73-7234. A portion of the property was rezoned on May 18, 2016 from General Residential-8 (GR-8) to General Residential-8 Planned Residential Development (GR-8 PRD) for single family residential development. A master plan for the StoneRiver subdivision was submitted by Terramor Homes on June 27, 2016 to create approximately 400 single-family lots.

During staff's review, it was determined that Street A and Street F do not comply with the Knightdale Unified Development Ordinance. Street A is approximately 1,700 linear feet, and Street F is approximately 1,300 linear feet. The StoneRiver master plan was discussed at the Town of Knightdale Technical Review Committee where the applicant said these two roads could not be connected due to the topography of the site. The elevation of Street A is 210± feet, Street F is 240± feet, and there is a knoll between these two cul-de-sacs which rises to an elevation of 265± feet. Additionally, the connectivity index of 1.26 does not meet the minimum requirement of 1.32 after the administrator reductions were granted.

Before opening up the floor for questions, Mr. Christian reminded members of the required findings of fact, along with other powers and responsibilities of the Board.

Mr. Godwin inquired if one street could be a dead end. Mr. Christian explained that both must be cul-de-sacs due to life safety issues.

On behalf of Arcaterra Land LLC, attorney Andy Petesch with Petesch Law explained that the original plan showed a street stub for Street A, but the adjacent property is owned by DOT and is undevelopable. Therefore, they made it into a cul-de-sac to enable safe turnaround for emergency vehicles.

Jim Chandler with the Timmons Group stated the parcel contains a lot of rock and they are trying to avoid issues caused by connecting the roads. Connecting the roads would require more blasting, retaining walls, disruption of vegetation, cause steeper grades making it less walkable, and possibly more drainage issues. In addition to the topography issue, the parcel also contains floodplain, riparian buffer and wetlands. *Exhibit handed out but copy not provided to clerk of the board.* After being asked about public safety issues, Mr. Chandler stated the roads would be designed to the Town's public street sections, while adding that the proposed length of the cul-de-sacs was not unheard of in other jurisdictions.

Mr. Godwin asked why Street F could not be connected to Street A. Mr. Chandler answered that there would still be a significant drop of 20 feet, and it would encroach into the open space.

Vice Chairman Piratzky asked if the active open space shown is the minimum amount required or if it could be made smaller. Assistant Development Services Director Jennifer Currin explained that they could not reduce the size of the existing active open space.

Mr. Petesch summarized the hardships created by conditions peculiar to the property. Changing the street plan would decrease natural landscaping, increase impervious surface, impact walkability, and expend substantial resources. He stated that there is no significant loss of functionality because the roads will have sidewalk on both sides, making it very walkable. He then upheld that the applicant is trying to mitigate adverse

grading between properties and that their request meets the spirit and intent of the Town's UDO.

Chairman Hess observed that there is an entrance to the open space off Street F, but not Street A, and wondered if an entrance could be added so that residents do not have to walk all the way around.

Ms. Alexander expressed concern about runoff from the higher grade going into the lower grade. Mr. Chandler explained that if the knoll was left undisturbed, there would be natural drainage and would not create any issues.

**...Motion by Mr. McDonald to approve VAR-4-16 StoneRiver with the condition that the applicant connects Street F to Street A, and provides public access to the open space from Street A. Motion seconded by Ms. Alexander and carried unanimously.**

ITEM II. ORDERS FOR QUASI-JUDICIAL CASES  
None at this time.

ITEM III. ADJOURNMENT  
The Board of Adjustment session ended at 7:56 p.m.



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George Hess, Land Use Review Board Chairman



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Donna Tierney, Planning Technician